

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MAKIKO YAMASHITA,

Plaintiff,

v.

KAIJU STUDIOS LLC, DAVID
BORDEN, RANDY BORDEN
AND FENWAY RECORDINGS,

Defendants.

Civil Action No. 05-10298 RWZ

**ASSENTED-TO MOTION OF FENWAY RECORDINGS TO
ENLARGE TIME IN WHICH TO RESPOND TO COMPLAINT**

Pursuant to Fed. R. Civ. P. 6(b), defendant Fenway Recordings, with the assent of plaintiff Makiko Yamashita, hereby moves to enlarge the time in which it has to respond to plaintiff's complaint to August 31, 2005.

On July 27, 2005, while engaged in promising settlement discussions, the parties filed the Assented-to Motion of Fenway Recordings to Enlarge Time in Which to Respond to Complaint. The Court granted that motion and entered a new deadline of August 15, 2005. The parties are not certain that they will be able to reach a final resolution of their dispute by that date, but continue to engage in active and productive settlement negotiations. The parties have reached agreement in principal on many key issues and expect to file a dismissal of the action within the time requested for enlargement.

Respectfully submitted,

FENWAY RECORDINGS,

By its attorney,

/s/ Thomas W. Aylesworth
Thomas W. Aylesworth (BBO# 630994)
Nutter McClennen & Fish LLP
World Trade Center West
155 Seaport Boulevard
Boston, MA 02210
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Assented-To:

MAKIYO YAMASHITA,

By her attorney,

/s/ Heidi E. Harvey
Heidi E. Harvey (BBO# 548114)
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